

WEMHH/SB/21 (10/03)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/659,461	
	Filing Date	September 10, 2003	
	First Named Inventor	Lim	
	Art Unit	3764	
	Examiner Name		
Total Number of Pages in This Submission	4	Attorney Docket Number	4002-3343/PC928.00

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawings <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="text"/>	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): 1) non-U.S. cited reference
Remarks <input type="text"/>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or individual name	Woodard, Emhardt, Moriarty, McNett & Henry LLP
Signature	
Date	February 9, 2004

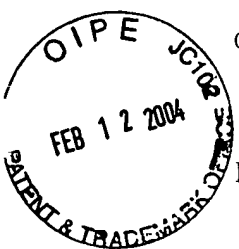
**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below			
Typed or printed name	Douglas A. Collier		
Signature		Date	February 9, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

004002-003343.DAC.264470

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



004002-003343.DAC.264353

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent	)	
application of:	)	Before the Examiner
	)	
Roy Lim	)	
	)	
Serial No. 10/659,461	)	
	)	Group Art Unit 3764
Filed September 10, 2003	)	
	)	
DEVICES AND METHODS FOR	)	Atty Docket No. 4002-3343/PC928.00
INSERTING SPINAL IMPLANTS	)	
	)	February 9, 2004

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the duty of disclosure embodied in 37 C.F.R § 1.56 and 1.98, Applicant discloses the following references on the attached Information Disclosure Citation Form. This information has not been previously submitted in this application by the applicants. Copies of non-U.S. patent references are enclosed herewith.

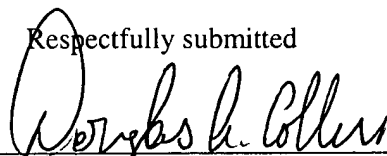
The filing of this information Disclosure Statement shall not be construed as an admission that the information cited is, or is considered to be, material to patentability as defined in §1.56 or that any information cited is prior art.

This Statement is being submitted before the mailing of a First Office Action on the merits, therefore no fees are believed due for consideration of the

references. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 23-3030, but not to include any payment of issue fees.

Respectfully submitted

By:



Douglas A. Collier

Reg. No. 43,556

Woodard, Emhardt, Moriarty,

McNett & Henry, LLP

Bank One Center/Tower

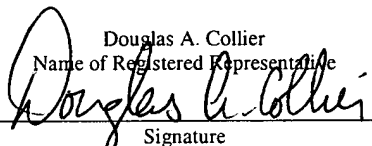
111 Monument Circle, Suite 3700

Indianapolis, Indiana 46204-5137

(317) 634-3456

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on **February 9, 2004**.

Douglas A. Collier  
Name of Registered Representative



Signature

Feb. 9, 2004

Date of Signature

**INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

Sheet 1 of 1

Atty. Docket No.  
4002-3343/PC928.00

Serial No.  
10/659,461

Applicant  
Roy Lim

Filing Date  
September 10, 2003

Group  
3764

**U.S. PATENT DOCUMENTS**

*Examiner Initial		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	Filing Date If appropriate
	1	5,688,276	11/1997	Shaffer			
	2	5,735,842	4/1998	Krueger et al.			
	3	5,788,713	8/1998	Kubach et al.			
	4	5,947,970	9/1999	Schmelzeisen et al.			
	5	5,957,927	9/1999	Magee et al.			
	6	6,036,692	3/2000	Burel et al.			
	7	6,113,605	9/2000	Storer			
	8	6,156,037	12/2000	LeHuec et al.			
	9	6,440,169	08/2002	Elberg et al.			
	10	6,514,256	02/2003	Zucherman et al.			
	11	6,530,926	03/2003	Davison			
	12	6,626,944	09/2003	Taylor			Oct. 23, 2000
	13	US01/0021853A1	9/2001	Heckele et al.			
	14	US01/0020170	9/2001	Zucherman et al.			
	15	US02/0072752	6/2002	Zucherman et al.			
	16	US02/0099377	7/2002	Zucherman et al.			

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							Yes	No
	17	WO 03/008016	1/30/03	PCT				

Examiner

Date Considered

\*Examiner: initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

004002-0030343.DAC.264347

